

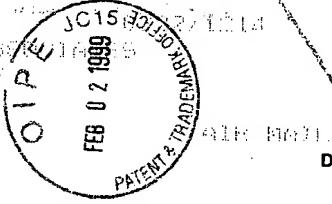


UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NUMBER	FILED/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO./TITLE
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097198-667 11/24/98 SMITH

NEIL MELTELBAM & ASSOCIATES
834 COLONEL BY DRIVE
OTTAWA ON K1Y 5B7
CANADA



DATE MAILED:

02/02/99

NOT ASSIGNED

3#

12/14/98

NOTICE TO FILE MISSING PARTS OF APPLICATION

Filing Date Granted

An Application Number and Filing Date have been assigned to this application. The items indicated below, however, are missing. Applicant is given TWO MONTHS FROM THE DATE OF THIS NOTICE within which to file all required items and pay fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). If any of items 1 or 3 through 5 are indicated as missing, the SURCHARGE set forth in 37 CFR 1.16(e) of \$65.00 for a small entity in compliance with 37 CFR 1.27, or \$130.00 for a non-small entity, must also be timely submitted in reply to this NOTICE to avoid abandonment.

If all required items on this form are filed within the period set above, the total amount owed by applicant as a
 small entity (statement filed) non-small entity is \$ 100.

1. The statutory basic filing fee is:

- missing.
- insufficient.

Applicant must submit \$ 100 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).

2. Additional claim fees of \$ 100, including any multiple dependent claim fees, are required.

\$ 100 for 10 independent claims over 3.

\$ 100 for 10 dependent claims over 20.

\$ 100 for multiple dependent claim surcharge.

Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.

3. The oath or declaration:

- is missing or unexecuted.
- does not cover the newly submitted items.
- does not identify the application to which it applies.
- does not include the city and state or foreign country of applicant's residence.

An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date is required.

4. The signature(s) to the oath or declaration is/are by a person other than inventor or person qualified under 37 CFR 1.42, 1.43 or 1.47.

A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

5. The signature of the following joint inventor(s) is missing from the oath or declaration:

An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.

6. A \$50.00 processing fee is required since your check was returned without payment (37 CFR 1.21(m)).

7. Your filing receipt was mailed in error because your check was returned without payment.

8. The application does not comply with the Sequence Rules.

See attached "Notice to Comply with Sequence Rules 37 CFR 1.821-1.825."

9. OTHER:

Direct the reply and any questions about this notice to "Attention: Box Missing Parts."

A copy of this notice MUST be returned with the reply.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE PATENT APPLICATION OF: Smiley OUR FILE: 10-133 US

SERIAL NO: 09/198,607 GROUP: 2877

FILED: November 24, 1998 EXAMINER: Not assigned

FOR: ADJUSTABLE OPTICAL ATTENUATOR

February 1, 1999

The Commissioner of Patents and Trademarks
Washington, D.C. 20231
U.S.A.

Dear Sir:

In response to the Notification of Missing Requirements under 35 U.S.C. 371, enclosed
please find a completed Declaration, together with the required fee in the amount of
\$130.00 US.

Please charge any additional fees or credit overpayment to Deposit Account No: 20-0345.

Respectfully submitted,

Neil Teitelbaum

Neil Teitelbaum
Regn No: 38,793

Neil Teitelbaum & Associates
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Ottawa, Ontario